

Message Text

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TO AMEMBASSY KUWAIT

C O N F I D E N T I A L STATE 096574

KUWAIT POUCH TO BAGHDAD

FOL REPEAT STATE 96574 SENT ACTION IAEA VIENNA

INFO LONDON MOSCOW BERN BONN NEW DELHI OTTAWA PARIS

ROME TOKYO APRIL 25

QTE

C O N F I D E N T I A L STATE 096574

E.O. 11652:GDS

TAGS:PARM, TECH, IAEA

SUBJECT: IAEA DG'S RESPONSE TO SWISS QUESTION RE INTER-
PRETATION OF SAFEGUARDS AGREEMENTS

REFS: (A) LONDON 06146(NOTAL) (B) IAEA VIENNA 3407

... (C) IAEA VIENNA 2702

1. ON APRIL 22 IN LONDON U.S. REPRESENTATIVES, AS REPORTED
IN REFTEL A, INFORMALLY DESCRIBED PROPOSED U.S. APPROACH ON
SUBJECT OF LASER INDUCED MICRO EXPLOSIONS TO UK AND USSR
REPRESENTATIVES CONSULTING ON NPT REVCON. THE APPROACH IS:
(A) TO TAKE THE LINE THAT NEITHER ARTICLE II OF THE NPT,
NOR THE PROHIBITION IN IAEA SAFEGUARDS AGREEMENTS OF
DIVERSION TO ANY NUCLEAR EXPLOSIVE DEVICE, PROHIBITS
RESEARCH AND DEVELOPMENT ON, OR OPERATION OF, POWER
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REACTORS OF THE TYPE THAT GAVE RISE TO THESE QUESTIONS.

(B) TO CONFINE OUR RESPONSE TO THE SPECIFIC TYPE OF
DEVELOPMENT ABOUT WHICH THE QUESTIONS HAVE ARISEN SO AS
NOT TO GIVE A BLANK CHECK THAT COULD PERMIT OTHER CON-

CEIVABLE DEVELOPMENTS THAT MIGHT BE PUT TO WEAPONS USE.

(C) TO REFRAIN FROM ATTEMPTING TO GIVE A GENERAL DEFINITION OF WHAT DOES CONSTITUTE A "NUCLEAR EXPLOSION" FOR THESE PURPOSES.

(D) TO ADVISE THE IAEA DG PRIOR TO THE NPT REVCON OF OUR APPROACH AND THAT OUR POSITION IS AS CONTAINED IN PARAGRAPH 2 BELOW.

2. THE U.S. PLANS TO USE IN BOTH THE NPT REVCON AND THE IAEA THE FOLLOWING STATEMENT: "A QUESTION HAS BEEN RAISED WITH RESPECT TO ENERGY SOURCES, OF A KIND ON WHICH RESEARCH HAS BEEN REPORTED, INVOLVING NUCLEAR REACTIONS INITIATED IN MILLIMETER-SIZED PELLETS OF FISSIONABLE AND/OR FUSIONABLE MATERIAL BY LASERS OR BY ENERGETIC BEAMS OF PARTICLES, IN WHICH THE ENERGY RELEASES, WHILE EXTREMELY RAPID, ARE DESIGNED TO BE, AND WILL BE, NONDESTRUCTIVELY CONTAINED WITHIN A SUITABLE VESSEL. ON THE BASIS OF OUR PRESENT UNDERSTANDING OF THIS TYPE OF ENERGY SOURCE, WHICH IS STILL AT AN EARLY STAGE OF RESEARCH, WE HAVE CONCLUDED THAT IT DOES NOT CONSTITUTE A NUCLEAR EXPLOSIVE DEVICE WITHIN THE MEANING OF THE NPT OR UNDERTAKINGS IN IAEA SAFEGUARDS AGREEMENTS AGAINST DIVERSION TO ANY NUCLEAR EXPLOSIVE DEVICE."

3. THE UK MISSION IN VIENNA IS SUPPOSED TO ADVISE THE U.S. MISSION BY APRIL 25 WHETHER THEY ARE PREPARED TO FOLLOW U.S. SUGGESTIONS. U.S. MISSION,EARLY DURING THE WEEK OF APRIL 28,SHOULD INFORM UK AND USSR MISSIONS OF OUR APPROACH AND OF OUR PLAN TO APPROACH THE IAEA DG ALONG THE LINES OF PARAGRAPHS 1 AND 2 ABOVE. MISSION SHOULD ALSO ADVISE UK AND USSR MISSION THAT WE DO NOT BELIEVE APPROACH CONTAINED IN DG'S LETTER OF APRIL 17 (REPORTED REFTEL B, PARAGRAPHS 5, 6 AND 7), IS SUITABLE AS A BASIS FOR ADDRESSING THE QUESTION BECAUSE IT ATTEMPTS TOO GENERAL A SOLUTION; THAT WE DO NOT BELIEVE A MEETING IS NOW NEEDED; AND THAT WE PLAN TO SO INFORM THE DG.

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4. THE MISSION SHOULD ADVISE THE DG, BY APRIL 30 IF POSSIBLE, OF THE FOLLOWING:

(A) OUR APPROACH IS AS INDICATED IN PARAGRAPHS (1) AND (2) AND PROVIDE HIM WITH A COPY OF THE STATEMENT IN PARAGRAPH (2) INDICATING THAT THISSS IS OUR POSITION ON THE MATTER AND THAT WE INTEND TO USE THIS IN THE NPT REVCON.

(B) THE PAPER ENCLOSED IN THE DG LETTER OF 17 APRIL IS IN CONFLICT WITH OUR RECOMMENDED APPROACH AND THAT WE CANNOT THEREFORE ENDORSE IT AS A BASIS FOR FURTHER CONSIDERATION OF THE MATTER.

(C) WE DO NOT NOW BELIEVE THAT A MEETING AS SUGGESTED BY
THE DG IS NEEDED. KISSINGER

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